

D. JAMES SUTTON
937 GROVESIDE ROAD
BUSKIRK, NEW YORK
12028

h

November 2, 2009

Andrew T. Baxter, Acting U.S. Attorney
U.S. Attorney for the Northern District of New York
Albany, New York
12208

RE: Freedom of Information Request

Dear Mr. Baxter,

Pursuant to the Freedom of Information Laws of the United States of America, I am requesting complete access to the file and investigation performed by your office regarding Travelers Casualty and Surety Companies "Acquisition" of Reliance Insurance Company, et. al.'s surety business, dated 5/31/00.

This investigation, performed by assistant U.S. Attorney Sarah Lord, was finalized without any prosecution and is therefore not exempt from public access.

I am requesting access to this complete file including any and all forms of communication regarding this investigation.

Sincerely,

D. James Sutton



Executive Office for United States Attorneys
Freedom of Information & Privacy Staff
600 E Street, N.W., Suite 7300, Bicentennial Building
Washington, DC 20530-0001
(202) 616-6757 FAX 616-6478 (www.usdoj.gov/usao)

Requester: D. James Sutton Request No.: 09-4319

950 - /

Subject: Travelers Casualty/NYN

The Executive Office for United States Attorneys (EOUSA) has received your Freedom of Information Act/Privacy Act (FOIA/PA) request. It has been assigned the above number. Please give us this number if you write about your request. If we need additional information, we will contact you within two weeks.

Your request will be placed in the order in which it was received for processing, unless it is a very large request (Project Request). Then, it will be placed in a separate group of Project Requests, which are also processed in the order received.

EOUSA makes every effort to process most requests within a month (20 working days). There are some exceptions; for example, Project Requests usually take approximately nine months to process. Requests for "all information about myself in criminal case files" are usually Project Requests. If you have made such a request, you may either write us and narrow your request for specific items, or you may expect that the processing of your request may take nine months from the date of this letter.

By making a FOIA/PA request, you have agreed to pay fees up to \$25, as stated in 28 CFR § 16.3(c), unless you have requested a fee waiver. Please note that pursuant to 28 CFR § 16.11, if you have not been granted a fee waiver, we are required to charge fees for time used to search for the documents you have requested and for duplication of all pages released to you. Normally, search time is charged at a rate of \$28 per hour after the first two hours which are free, and duplication fees are \$0.10 per page after the first 100 pages which are free. Please do not send any payment at this time! If we anticipate that fees will exceed \$25 or the amount you have stated in your letter (if greater than \$25), we will normally notify you of our estimate of fees. After we have received your agreement to pay for the expected fees (or you have narrowed your request to reduce fees) and we have processed your request, we will require payment for the accumulated charges before we release documents to you. Without such payment, your request file will be closed without further action.

Sincerely,

William G. Stewart II
Assistant Director



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

Suite 7300, Bicentennial Building
600 E Street, N.W.
Washington, DC 20530

(202) 616-6757
FAX (202) 616-6478

Requester: James D. Sutton

Request No. 09-4319

Dear Mr. Sutton:

In your request letter dated November 2, 2009 you asked for access to the file and investigation of Travelers Insurance performed by the Northern District of New York. The district has informed us that they have four binders containing copies of contracts that you supplied to the district. The district further informed us that no case has been opened as a result of the review of these binders. Thus, the only responsive records located in the district are the 4 binders, which you supplied. If you would like us to return your binders, we need you to let us know.

If you have any questions about this letter you may call Attorney-Advisor Dione Stearns at 202-616-6757.

Per 28 C.F.R. 16.11(i), your request is not considered received until we receive a response from you. Please respond within 30 days of the date of this letter, or this matter will be closed. If you wish, you may use the attached form to indicate your wishes. If you have any questions, please call Attorney Advisor Dione Stearns at 202-616-6757.

Sincerely,

A handwritten signature in black ink that reads "William G. Stewart II".

William G. Stewart II
Assistant Director

Note: You may appeal this response by writing to the Office of Information Policy, United States Department of Justice, 1425 New York Avenue, Suite 11050, Washington D.C. 20530-0001. Your letter must be received by that office within 60 days of the date of this letter.

D. James Sutton
937 Groveside Road
Buskirk, New York 12028

U.S. Department of Justice
Executive Office for United States Attorney
Freedom of Information & Privacy Staff
600 E. Street N.W. Suite 7300 Bicentennial Building
Washington .C. 20530-0001
202-616-6478

Attn: William G. Stewart II

Dear Mr. Stewart,

Pursuant to the Federal Freedom of Information Act (FOIA/PA), I am requesting the following access to documents:

1. Provide all the rules and regulations for US Attorney's office regarding record keeping, requirements, cost accounting records and records retention policies for all complaints and investigations by the US Attorney's office and the FBI from 2004 until present.
2. Provide all rules and regulations for the disposition of an active investigation where a US Attorney has decided that a case will not be filed in a Court Action.
 - a. Provide all the record keeping requirements for these types of cases, i.e.: where significant tax dollars were expended during an investigation but said investigation was not filed in Court.

Sincerely,

D. James Sutton

Dated: 2/9/2010



Executive Office for United States Attorneys
Freedom of Information & Privacy Staff
600 E Street, N W, Suite 7300, Bicentennial Building
Washington, DC 20530-0001
(202) 616-6757 FAX 616-6478 (www.usdoj.gov/usao)

Requester: D. James Sutton Date of Receipt: February 25, 2010

Request No.: 2010-578 Subject: Records Retention-Research

Dear Requester:

In response to your Freedom of Information Act and/or Privacy Act request, the paragraph(s) checked below apply:

1. ☐ Your request has been forwarded to _____ for a direct response to you.
2. ☐ The records responsive to your request have been destroyed pursuant to Department of Justice guidelines.
3. ☐ Your request seeks public records which may be obtained from the clerk of the court.
4. ☐ Your request pertains to state or local matters, the records for which are maintained by state or local agencies and, therefore, are outside the scope of the Act. You should contact the pertinent state or local agency for a response to your request.
5. ☒ The Freedom of Information Act only applies to records already in existence and does not require an agency to conduct research, create new records, or answer questions presented as FOIA requests.
6. ☐ Your request concerns material which is publicly available through the Government Printing Office. You can obtain/purchase a copy of the requested material by writing to the Information Dissemination (Superintendent of Documents), U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954.
7. ☐ Please note that your original letter was split into separate files ("requests"), for processing purposes, based on the nature of what you sought. Each file was given a separate Request Number (listed below), for which you will receive a separate response:
NOT SPLIT

This is our final action on this above-numbered request. You may appeal this decision on this request by writing to the **Office of Information Policy, Department of Justice**,

1425 New York Avenue, Suite, 11050, Washington, D.C. 20530-0001. Both the letter and envelope should be marked "FOIA Appeal." Your appeal must be received by OIP within 60 days from the date of this letter. If you are dissatisfied with the results of any such administrative, appeal, judicial review may thereafter be available in U.S. District Court. 28 C.F.R. § 16.9.

Sincerely,

William G. Stewart II
Assistant Director



U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

APR 22 2010

Mr. D. James Sutton
937 Groveside Road
Buskirk, NY 12028

Re: Request No. 2010-578

Dear Mr. Sutton:

This is to advise you that your administrative appeal from the action of the Executive Office for United States Attorneys was received by this Office on April 20, 2010.

The Office of Information Policy has the responsibility of adjudicating such appeals. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number **2010-1716**. Please mention this number in any future correspondence to this Office regarding this matter.

We will notify you of the decision on your appeal as soon as we can. If you have any questions about the status of your appeal you may contact me at the number above.

Sincerely,

A handwritten signature in black ink, appearing to read "Priscilla Jones", written over a horizontal line.

Priscilla Jones
Supervisory Administrative Specialist



U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

Mr. D. James Sutton
937 Groveside Road
Buskirk, NY 12028

Re: Request No. 09-4319

Dear Mr. Sutton:

This is to advise you that your administrative appeal from the action of the Executive Office for United States Attorneys was received by this Office on April 20, 2010.

The Office of Information Policy has the responsibility of adjudicating such appeals. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number **2010-1703**. Please mention this number in any future correspondence to this Office regarding this matter.

We will notify you of the decision on your appeal as soon as we can. If you have any questions about the status of your appeal you may contact me at the number above.

Sincerely,

A handwritten signature in cursive script, appearing to read "Priscilla Jones".

Priscilla Jones
Supervisory Administrative Specialist

A handwritten signature in cursive script, appearing to read "Matt Heard".



U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

JUN 17 2010

Mr. D. James Sutton
937 Groveside Road
Buskirk, NY 12028

Re: Appeal Nos. 2010-1703 & 2010-1883
Request No. 09-4319
SRO:MWH

Dear Mr. Sutton:

You appealed from the action of the Executive Office for United States Attorneys (EOUSA) on your request for access to records pertaining to an alleged investigation of Travelers Casualty and Surety Company.

After carefully considering your appeal, I am affirming EOUSA's action on your request. EOUSA informed you that the only records responsive to your request are those records supplied by you to EOUSA. I have determined that EOUSA's response was correct and that it conducted an adequate, reasonable search for records responsive to your request. As EOUSA advised you, if you seek copies of the records you submitted to EOUSA, you should contact it directly.

Additionally, please note that Appeal No. 2010-1883 is a duplicate of Appeal No. 2010-1703. Accordingly, I am administratively closing Appeal No. 2010-1883 in this Office.

As part of the 2007 Freedom of Information Act amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

E-mail: ogis@nara.gov
Telephone: 301-837-1996
Facsimile: 301-837-0348
Toll-free: 1-877-684-6448

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McEan*

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If you are dissatisfied with my action on your appeal, you may file a lawsuit in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in black ink, appearing to read "Janice Galli McLeod". The signature is fluid and cursive, with the first name "Janice" being the most prominent.

Janice Galli McLeod
Associate Director



U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

Mr. D. James Sutton
937 Groveside Road
Buskirk, NY 12028

Re: Appeal No. 2010-1716
Request No. 2010-578
CAS:MWH

Dear Mr. Sutton:

You appealed from the action of the Executive Office for United States Attorneys (EOUSA) on your request for access to records pertaining to record retention and cost accounting for investigations conducted by the U.S. Attorney's Office and the Federal Bureau of Investigation; and for the rules regarding the disposition of an investigation. I note that you have limited your appeal to the portion of your request pertaining to record retention policies.

After carefully considering your appeal, and as a result of discussions between EOUSA personnel and a member of my staff, I am remanding your request for a search for responsive records. If EOUSA locates responsive records, it will send any and all releasable records to you directly, subject to any fees. You may appeal any future adverse determination made by EOUSA. If you would like to inquire about the status of your remanded request, please contact EOUSA directly.

If you are dissatisfied with my action on your appeal, you may file a lawsuit in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

A handwritten signature in black ink, appearing to read "Janice Galli McLeod", written over a horizontal line.

Janice Galli McLeod
Associate Director

D. James Sutton
937 Groveside Road
Buskirk, New York
12028
(518) 701-1116

Federal Bureau of Investigations
J.T. Foley Building
445 Broadway
Albany, New York 12207

Attn: Freedom of Information Officer

RE: Foil Request

Dear Sir or Madam,

The "F.B.I." investigated the Travelers Casualty and Surety Co./Reliance Surety Co. transaction on or about February 2005 to December 2007.

This investigation was initiated by U.S. Attorney Sarah Lord and was closed without prosecution.

Pursuant to the Federal Freedom of Information Laws I am requesting access to your investigation file regarding this matter.

Sincerely

D. James Sutton

Dated: August 6, 2010h



Executive Office for United States Attorneys
Freedom of Information & Privacy Staff
600 E Street, N W, Suite 7300, Bicentennial Building
Washington, DC 20530-0001
(202) 252-6020 FAX 252-6047 (www.usdoj.gov/usao)

Requester: D. James Sutton Request No.: 10-3469

Subject: Record Retention re: Investigations/Operations

The Executive Office for United States Attorneys (EOUSA) has received your Freedom of Information Act/Privacy Act (FOIA/PA) request. It has been assigned the above number. Please give us this number if you write about your request. If we need additional information, we will contact you within two weeks.

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Sincerely,

William G. Stewart II
Assistant Director

D. James Sutton
937 Groveside Road
Buskirk, New York
12028

December 9, 2010

U.S. Department of Justice
Freedom of Information and Privacy Staff
600 E. Street N.W. Suite 7300
Bicentennial Building
Washington, D.C. 20530-0001

RE: Request No. 10-3469

Dear Mr. Stewart,

Your office wrote me on October 7, 2010.

My request was not a "Project Request" yet it has been two months and I have not had a response.

Could you please update me on my request?

Sincerely,

D. James Sutton
(518) 701-1116